

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : S U P P L E M E N T A L
 : D E C L A R A T I O N
 - v. - : 08 Cr. 036 (JGK)

Eric Peels, :
 :
 Defendant. :

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I, **ERIC PEELS**, hereby declare under the penalties of
perjury, pursuant to 28 U.S.C. § 1746, that:

1. I am the defendant in this criminal action, and I am
submitting this Supplemental Declaration in support of a motion
to suppress physical evidence that was obtained in violation of
my rights under the Fourth Amendment to the United States
Constitution.

2. This Supplemental Declaration is based on my best
recollection of the events that it describes; because its purpose
is limited to establishing that my rights were violated, I have
not included every detail of what occurred.

3. On September 29, 2007, I was an overnight guest inside
an apartment located at 3540 Decatur Avenue, Apartment 3K in the
Bronx. The individual renting the apartment was also present.

4. I arrived at the apartment on September 28, 2007
sometime during the afternoon. I slept in the apartment on the
evening of September 28, 2007 and planned to remain at the
apartment until I found another place to stay.

5. I had the permission of the individual renting the apartment to stay in the apartment and to use the washer and dryer and other household appliances as needed.

6. I was able to come and go from the apartment at my leisure.

WHEREFORE, I respectfully request that this Court consider the facts set forth herein, in addition to those previously submitted, and enter an order suppressing the evidence recovered as a result of this Fourth Amendment violation.

Dated: New York, New York
May 5, 2008



ERIC PEELS